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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 FEDERAL TRADE COMMISSION,

15 Plaintiff,

16 vs.

17 MICROSOFT CORP.

18 and

19 ACTIVISION BLIZZARD, INC.,

20 Defendants.

CASE NO. 3:23-cv-2880

**DECLARATION OF MICHAEL D.
BONANNO IN SUPPORT OF NVIDIA
CORPORATION'S STATEMENT IN
SUPPORT OF SEALING REGARDING
THE DIRECT TESTIMONY OF ROBIN S.
LEE, PHD**

The Honorable Jacqueline Scott Corley

Declaration of Michael D. Bonanno

I, Michael D. Bonanno, declare as follows:

1. I am an attorney licensed to practice in the District of Columbia and my *pro hac vice* motion is currently pending before this Court (ECF 214). I am a partner of Quinn Emanuel Urquhart & Sullivan, LLP (“Quinn Emanuel”), counsel for NVIDIA Corporation (“NVIDIA”) in the above-captioned matter. I have personal knowledge of the facts set forth in this declaration, and, if called as a witness, I would testify competently to those matters.

2. Pursuant to Local Rule 79-5, I submit this declaration in support of NVIDIA’s statement in support of sealing portions of the Direct Testimony of Robin S. Lee, PhD (the “Lee Testimony”).

3. NVIDIA seeks to seal Footnote 158, located on Page 71 of the Lee Testimony, which directly quote from a portion of a declaration submitted to the FTC by one NVIDIA executive during the FTC’s investigation of Microsoft acquisition of Activision (PX8000). (ECF 161-1 ¶ 16). NVIDIA also seeks for the courtroom to be sealed during presentation of this portion of the testimony. NVIDIA previously filed a statement (ECF 161) and declaration (161-1) in support of sealing portions of PX8000. As reflected in the June 21, 2023 declaration of Aashish Patel, the portion of PX8000 quoted in Footnote 158 of the Lee Testimony contains sensitive business information concerning NVIDIA’s cloud gaming business, GeForce NOW, including NVIDIA’s negotiations with a potential business partner. (ECF 161-1 ¶ 16).

4. NVIDIA also seeks to seal a portion of Paragraph 205 and its accompanying Footnote 169 on Page 73 of the Lee Testimony, which directly quote from a portion of a deposition transcript of the same NVIDIA executive taken during the FTC’s investigation of Microsoft’s acquisition of Activision (PX7060). (ECF 161-1 ¶ 15). NVIDIA also seeks for the courtroom to be sealed during presentation of this portion of the testimony. NVIDIA previously filed a statement (ECF 161) and declaration (161-1) in support of sealing portions of PX7060. As reflected in the June 21, 2023 declaration of Aashish Patel, the portion of PX7060 quoted in Paragraph 205 and cited in Footnote 169 of the Lee Testimony describes sensitive business information concerning NVIDIA’s cloud gaming business, including information about NVIDIA’s data centers. (ECF 161-1 ¶ 15).

